

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

CITY OF SOUTH BEND,)	
Plaintiff,)	
vs)	
)	
SOUTH BEND COMMON COUNCIL, TIM)	
CORBETT, DAVE WELLS, STEVE)	
RICHMOND, BRIAN YOUNG, and SANDY)	Case No.
YOUNG,)	3:12-CV-475
Defendants.)	
*****)	
BRIAN YOUNG, SANDY YOUNG,)	
TIMOTHY CORBETT, DAVID WELLS,)	
and STEVE RICHMOND,)	
Plaintiffs,)	
vs)	
)	
THE CITY OF SOUTH BEND Acting)	
through its Police Department,)	
DARRYL BOYKINS, Individually and)	
In his Official Capacity as)	
Chief of Police, KAREN DEPAEPE,)	
and SCOTT DUERRING,)	
Defendants.)	
*****)	

The Videotaped Deposition of DARRYL BOYKINS

Date: Monday, April 15, 2013

Time: 9:12 a.m.

Place: Pfeifer, Morgan & Stasiak
53600 North Ironwood Drive
South Bend, Indiana 46635

Called as a witness by the Defendants/Plaintiffs
in accordance with the Federal Rules of Civil
Procedure for the United States District
Court, Northern District of Indiana, South Bend
Division, pursuant to Notice.

Reported by
Angela J. Galipeau, RPS, CSR
Notary Public, State of Indiana

Darryl Boykins

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1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]

5 Q. Once you realized that his phone was being recorded and it
6 was not the line that should have been recorded, did you
7 go and tell him that, hey, your line's been recorded and
8 it shouldn't have been recorded, we'll stop if you want us
9 to?

10 A. No.

11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
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30 [REDACTED]

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April 15, 2013

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[REDACTED]

[REDACTED]

15 Q. At any point in time, did you ever tell Brian Young that
16 his phone line bearing the phone number 235-6031 was being
17 recorded?

18 A. No. He came down to my office and talked about it, and it

[REDACTED]

[REDACTED]

- 19 Q. After you got back to your office after talking to Karen
20 DePaape and she relayed some of the conversations you
21 heard, did you take any actions related to what you
22 learned that are called for under Exhibit 4?
23 A. No.
24 Q. After thinking about the situation, what did you
25 ultimately do?

Darryl Boykins

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1 A. Well, I basically did nothing at the point. I didn't -- I
2 looked at it. I listened to it, but I did nothing.

[REDACTED]

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[illegible]

_____ b6
_____ b7C

[illegible]

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10 Q. Okay. Once the mistake was learned, was there anything
11 done to correct the mistake and stop the recording?

12 A. Not right then. But, yes, we was getting a new VoIP
13 system, and I had put in for a change. That was going to
14 be corrected.

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THE CITY OF SOUTH BEND Acting)	
through its Police Department,)	
DARRYL BOYKINS, Individually and)	
in his Official Capacity as)	
Chief of Police, KAREN DePAEPE,)	
and SCOTT DUERRING,)	
Defendants.)	
-----)	

The Videotaped Deposition of PHILLIP TRENT

Date: Tuesday, June 18, 2013

Time: 2:37 p.m.

Place: Pfeifer, Morgan & Stesiak
53600 North Ironwood Drive
South Bend, Indiana 46635

Called as a witness by the Defendants/Plaintiffs
in accordance with the Federal Rules of Civil
Procedure for the United States District
Court, Northern District of Indiana, South Bend
Division, pursuant to Notice.

Reported by
Angela J. Galipeau, RPR, CSR
Notary Public, State of Indiana
MIDWEST REPORTING, INC.
1448 Lincolnway East
South Bend, Indiana 46613
(574) 288-4242

1 either information that Gary gave to you or Diana Scott
2 gave to you that the 245-6031 number was the former
3 division chief's number, but was now the captain's number?

4 A. Yes.

5 Q. Okay. And you knew the captain was Brian Young?

6 A. Yes.

7 Q. Okay. After that meeting, it's my understanding that
8 within about 20 minutes you went and had a conversation
9 with Brian about the fact that 245-6031, his number, was a
10 line that was being recorded, correct?

11 A. Correct.

12 Q. Do you remember what he said to you in terms of I know
13 it's being recorded, I didn't know that it was being
14 recorded, or what his reaction was to what you said?

15 A. I recall telling -- I recall asking him if he knew his
16 number was being recorded.

17 Q. And his response?

18 A. A puzzled no, sort of questioning, sort of, you know, no
19 and -- no with a connotation of what are you talking
20 about.

21 Q. Okay. Take us through what happens next as you're having
22 this conversation. What's the next thing that's said?

23 A. I asked him if he wanted it recorded, if there was any
24 reason his line specifically, if he knew why his line was
25 being recorded. And, again, he said no. And then I asked

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Chief of Police, KAREN DePAEPE,)	
and SCOTT DUERRING,)	
Defendants.)	
-----)	

The Videotaped Deposition of DIANA SCOTT

Date: Thursday, June 20, 2013

Time: 10:11 a.m.

Place: Pfeifer, Morgan & Stesiak
53600 North Ironwood Drive
South Bend, Indiana 46635

Called as a witness by the Defendants/Plaintiffs
in accordance with the Federal Rules of Civil
Procedure for the United States District
Court, Northern District of Indiana, South Bend
Division, pursuant to Notice.

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Angela J. Galipeau, RPR, CSR
Notary Public, State of Indiana
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1 [REDACTED] b3
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED] b3
7 [REDACTED] b3
8 [REDACTED]
9 [REDACTED]
10 [REDACTED] b1
11 [REDACTED] b1
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 A. During the meeting, Captain Trent got up after the
16 question was asked if Captain Young was aware that his
17 line was recorded. We were in a conference room that was
18 kitty-corner to Captain Young's office. He walked out of
19 the meeting and into Captain Young's office. At the
20 conclusion of the meeting, I was approached by Captain
21 Young or Captain-- I'm sorry, Captain Trent in the
22 hallway. And he said, "Yeah, he didn't know the line was
23 recorded. We need to get that turned off like yesterday."
24 [REDACTED] b3
25 [REDACTED]